

FORM PTO-390 (REV 11-2000)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 124-890
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>09/936560</b> 09/936,560
INTERNATIONAL APPLICATION NO. PCT/GB00/00951	INTERNATIONAL FILING DATE 15 March 2000	PRIORITY DATE CLAIMED 16 March 1999 11 January 2000

NAME OF INVENTION

METHOD AND APPARATUS FOR THE ANALYSIS OF MATERIAL COMPOSITION

APPLICANT(S) FOR DO/EO/US

WALLIS et al

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The U.S. has been elected by the expiration of 19 months from the priority date (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has **NOT** expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 To 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information. Copy of Notification of Missing Requirements

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>09/936,560</b>		INTERNATIONAL APPLICATION NO. <b>PCT/GB00/00951</b>		ATTORNEY'S DOCKET NUMBER <b>124-890</b>	
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<b>21. <input checked="" type="checkbox"/> The following fees are submitted: (\$1438.00 filing fees previously paid 14 Sept. 2001)</b>				<b>CALCULATIONS</b> PTO USE ONLY																	
<b>BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):</b> -- Neither international preliminary examination fee (37 C.F.R. 1.482) nor international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO .....\$1040.00 -- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....\$890.00 -- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO .....\$740.00 -- International preliminary examination fee (37 C.F.R. 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4).....\$710.00 -- International preliminary examination fee (37 C.F.R. 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4).....\$100.00  <div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div>				\$      0.00																	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).																					
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">CLAIMS</th> <th style="width:20%;">NUMBER FILED</th> <th style="width:20%;">NUMBER EXTRA</th> <th style="width:20%;">RATE</th> </tr> <tr> <td>Total Claims</td> <td style="text-align: center;">-20 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">X    \$18.00</td> </tr> <tr> <td>Independent Claims</td> <td style="text-align: center;">-3 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">X    \$84.00</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIMS(S) (if applicable)</td> <td style="text-align: center;">\$280.00</td> </tr> </table>				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total Claims	-20 =	0	X    \$18.00	Independent Claims	-3 =	0	X    \$84.00	MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			\$280.00	\$      0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																		
Total Claims	-20 =	0	X    \$18.00																		
Independent Claims	-3 =	0	X    \$84.00																		
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			\$280.00																		
<div style="text-align: right;"><b>TOTAL OF ABOVE CALCULATIONS =</b></div>																					
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$      0.00																	
<div style="text-align: right;"><b>SUBTOTAL =</b></div>				\$      0.00																	
Processing fee of \$130.00, for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).				\$      0.00																	
<div style="text-align: right;"><b>TOTAL NATIONAL FEE =</b></div>				\$      0.00																	
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). <b>\$40.00</b> per property				\$      40.00																	
Fee for Petition to Revive Unintentionally Abandoned Application (\$1280.00 – Small Entity = \$640.00)				\$      0.00																	
<div style="text-align: right;"><b>TOTAL FEES ENCLOSED =</b></div>				\$      40.00																	
				Amount to be:																	
				refunded    \$																	
				Charged    \$																	

  

a. ☒ A check in the amount of \$40.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 14-1140 in the amount of \$\_\_\_\_\_ to cover the above fees. A duplicate copy of this form is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.

d. ☒ The entire content of the foreign application(s), referred to in this application is/are hereby incorporated by reference in this application.

  

**NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

  

**SEND ALL CORRESPONDENCE TO:**

NIXON & VANDERHYE P.C.  
 1100 North Glebe Road, 8<sup>th</sup> Floor  
 Arlington, Virginia 22201-4714  
 Telephone: (703) 816-4000

SIGNATURE

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**Stanley C. Spooner**  
NAME

  

<b>27,393</b>	<b>October 30, 2001</b>
REGISTRATION NUMBER	Date

☒ Commissioner For Patents, Box PCT, United States Patent and Trademark Office, Washington, D.C. 20231, www.uspto.gov

U.S. APPLICATION NUMBER NO.

09/936,560

FIRST NAMED APPLICANT

David John Wallis

ATTY. DOCKET NO.

124-890

INTERNATIONAL APPLICATION NO.

PCT/GB00/00951

I.A. FILING DATE

03/15/2000

PRIORITY DATE

03/16/1999

DOCKETED

Stanley C. Spooner

Nixon &amp; Vanderhye

1100 North Glebe Road, 8th Floor

Arlington, VA 22201-4714

CLT/MATTER # 124-890

MAIL DATE 10-24-01

DUE DATE Dec 24, 2001

FINAL DEADLINE May 24, 2002

DOCKETED BY [Signature]

CONFIRMATION NO. 7126

371 FORMALITIES LETTER



\*OC000000006947612\*

Date Mailed: 10/24/2001

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

## PART 1 - ATTORNEY/APPLICANT COPY

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